

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

STATE OF NEW YORK, *et al.*,

Plaintiffs

v.

MICROSOFT CORPORATION,

Defendant.

Civil Action No. 98-1233 (CKK)

ORDER

In accordance with the Court's discussion with counsel in the above-captioned case, it is this 2nd day of March, 2002, hereby

ORDERED that, as discussed with the parties, Microsoft shall file its motion concerning the testimony of Anthony Fama not later than March 6, 2002, with a courtesy copy delivered to chambers not later than 5 p.m.; and it is further

ORDERED that responses to Microsoft's motion regarding Mr. Fama's testimony, including the response of Gateway and/or Mr. Fama's counsel, shall be filed not later than March 13, 2002, with a courtesy copy delivered to chambers by 5 p.m.; and it is further

ORDERED that responses to Microsoft's "Motion to Compel the Production of Steven McGeady's Personnel File or, in the Alternative, to Preclude Him from Testifying In This Action," including the response of Mr. McGeady's counsel, shall be filed not later than March 4, 2002, with a courtesy copy delivered to chambers by 5 p.m.; and it is further

ORDERED that the Litigating States shall respond to Microsoft's "Motion in Limine to

Preclude testimony by James Barksdale and Steven McGeady” not later than 5 p.m. on March 5, 2002; and it is further;

ORDERED that the Litigating States shall respond to Microsoft’s “Motion in Limine to Exclude the Expert Report of John H. Shenefield Which Improperly Proffers a Legal Conclusion” not later than 5 p.m. on March 13, 2002; and it is further

ORDERED that the Litigating States’ responses to the following motions shall be filed not later than 10 a.m. on March 6, 2002:

- Microsoft’s “Motion in Limine To Exclude Testimony on Products Unrelated to the Limited Ground of Liability Upheld by the Court of Appeals;”
- Microsoft’s “Motion In Limine To Exclude Testimony About Events that Allegedly Occurred Before June 24, 1999;”
- Microsoft’s “Motion In Limine To Exclude the Purported Expert Opinion Testimony of the Non-Settling States’ Lay Witnesses;” and
- Microsoft’s “Motion In Limine to Exclude Testimony Relating to the Removal of Software Code from Windows;” and it is further

ORDERED that, with regard to Microsoft’s “Motion for Dismissal of the Non-Settling States’ Demand for Equitable Relief,” the following schedule is set:

- The Litigating States shall file their response not later than 5 p.m. on March 15, 2002;
- Microsoft shall file its reply not later than 5 p.m. on March 20, 2002; and it is further

ORDERED that the parties shall designate any objections to the exhibits listed in the opposing party’s exhibit list not later than 5 p.m. on March 6, 2002; and it is further

ORDERED that responses to objections to exhibits shall be filed not later than 5 p.m. on March 7, 2002; and it is further

ORDERED that, where the Court has not designated a time for the filing of a reply memorandum with regard to any of the above-described motions, any reply shall be filed not more than 24 hours after the filing of the relevant opposition memorandum; and it is further

ORDERED that the parties' procedure for the presentation of witnesses by deposition, as outlined in Paragraph 3 of the February 13, 2002, Joint Status Report, is adopted by the Court.

SO ORDERED.

COLLEEN KOLLAR-KOTELLY
United States District Judge